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S E C R E T SECTION 01 OF 02 BAGHDAD 000571

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SUBJECT: MALIKI REASSESSES ONGOING CABINET NEGOTIATIONS,
ELECTRICITY CONCERNS, NEW AMNESTY LAW, AND IRAQI REFUGEES

REF: A. BAGHDAD 514
1B. BAGHDAD 536
1C. BAGHDAD 474
1D. BAGHDAD 513

11. (S) SUMMARY: During his weekly security meeting with the Ambassador and General Petraeus on February 21, Prime Minister Maliki said he was discouraged by lack of progress in negotiations with the Tawafaq and Iraqiyya parties on rejoining the government, blaming their senior leadership for ever-increasing demands. The Prime Minister also reiterated his desire for a large American energy company to develop and implement solutions for the supply and distribution of electricity in Iraq. Additionally, the meeting covered a problematic clause in the new Amnesty Law concerning MNF-I detainees, the Iraqi government response to its refugee and displaced person problem in conjunction with the UNHCR, and the importance of properly conducting the upcoming trial of two ex-government health ministry officials. END SUMMARY.

Maliki Discouraged about Cabinet Reshuffle

12. (S) During his weekly security meeting with the Ambassador and General Petraeus, Prime Minister Maliki expressed discouragement in the ongoing negotiations with the Tawafaq and Iraqiyya political parties aimed at bringing them back into the government. He related that during the last Executive Council meeting, he offered two separate options for continuation of the government:

-- Tawafaq and Iraqiyya parties end their boycott of the Government and immediately fill their currently vacant ministry seats with professionally-qualified personnel, or

-- If the boycott continues, Maliki would fill the vacant seats himself with technocratic professionals, without regard to party affiliation or quota.

(note: Per reftel A, President Talabani had a different take on the same meeting, telling the Ambassador that there was a "consensus that the Council must concentrate all of its efforts on reforming the Government" as well as consensus on reducing the number of ministries by a third. Vice-president Hashimi's recollection was closer to Prime Minister Maliki's, except the Vice-president characterized Maliki's proposal as an ultimatum (Reftel B). End note.)

13. (S) Maliki then asked his senior advisor, Dr. Tariq Abdullah, to describe the recent government reconciliation discussions. Dr. Tariq, who led the negotiations, said they started off roughly but eventually succeeded with a comprehensive agreement after six meetings. He lamented that all this work was scuttled when senior Tawafaq and Iraqiyya

leadership disregarded the agreement and demanded entirely new concessions from the Prime Minister. Maliki responded that these tactics disappointed him but he remained hopeful that both parties could somehow remain a part of the political process.

Maliki Wants Long-term Fix for Electricity

¶4. (S) Turning to the problems in the supply of electricity, Maliki reiterated his desire for a large American energy company to develop and implement a long-term solution for the Iraqi electricity and production grid (Reftel C). General Petraeus frankly assessed that many large American companies were reluctant to enter the Iraqi market because of the poor GOI record for on-time reimbursement. He suggested this might be overcome with a letter of credit from a major banking institution and backed by a large cash deposit. The Ambassador also suggested the GOI engage the World Bank in this process, noting it had an extensive energy advisory program. As he had done previously, General Petraeus urged Maliki to adopt a series of quick fixes which would have an enormous, near-term effect and gain Maliki time to develop his long-term plan. Among them were purchase of proper fuel for the gas turbine generators, enforcement of load shedding to prevent shutdowns in the national grid, and timely reimbursement by the Ministry of Electricity for purchases of fuel. General Petraeus also suggested the GOI begin research into capping the flared gas at major oil fields, noting this practice had been very successful in producing large amounts of electricity elsewhere. Maliki seemed particularly impressed with the flared gas idea and tasked his advisors to study it further.

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Amnesty Law and MNF-I Detainees

¶5. (S) Discussing the recently passed Amnesty Law, Maliki observed that a sentence added at the last minute by the Council of Representatives committed the GOI to a transfer of detainees from Coalition Forces (CF) for eventual release by the Government. Maliki wondered if there was a mechanism in place to make such transfers. General Petraeus responded that for convicted criminals, the CF was ready to transfer custody of 600 prisoners once the GOI had sufficient prison space. On detainees, General Petraeus noted MNF-I detention authority originated from an UNSCR and added that they were already releasing about 1,000 detainees per month. When the Prime Minister asked if there was a legal way to transfer detainees to the GOI, General Petraeus responded that he would be willing to work that issue with GOI lawmakers.

Refugees and Displaced Persons

¶6. (S) Regarding refugees and internally displaced persons (IDP), the Ambassador expressed satisfaction with the recent visit to Baghdad by the UN High Commissioner for Refugees, Antonio Guterres. The Ambassador was especially pleased, he said, by his decision to assign five permanent UNHCR representatives to Iraq (Reftel D). Maliki agreed and added that during his own meeting with Guterres, he had emphasized the necessity for properly dispersing scarce funds to the neediest refugees, stressing that Iraq was prepared to do its part. In meeting this challenge, Maliki related that the Minister of Displacement and Migration (MoDM) now chaired an inter-ministerial committee to focus additional government agencies on this complex issue. When queried by the Ambassador whether the MoDM had authority to task other ministries, Maliki responded affirmatively but added that he intended to draft a new authorization policy that would add additional emphasis for expanding GOI cooperation with the UNHCR.

¶ 7. (S) Concerning the upcoming trial of two ex-government officials from the Ministry of Health, General Petraeus praised the courage of the Iraqi senior judge who pressed forward with the case despite serious threats of intimidation. He emphasized that world opinion about the Iraqi judicial system rested on its ability to fairly prosecute difficult political cases like these. Maliki acknowledged there were many skeptics about his government's fairness, but he adamantly contended that his government would not compromise justice for a political agenda, especially in a case like this. Maliki noted that one of the threatened witnesses, who failed to show up to testify on the originally scheduled trial date, had subsequently contacted him for advice. The Prime Minister said he urged the witness to testify, saying he personally promised them protection.

¶ 8. (S) The meeting concluded abruptly when Prime Minister Maliki was asked to take a phone call from the Turkish Prime Minister concerning the northern border crisis.

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